

REMARKS

In the Office Action, claim 58 was allowed. Claims 61-64 and 69-78 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Claims 64 and 66 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claims 64 and 66 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Claims 54-57 and 59-60 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 6 of U.S. Pat. No. 6,799,303 in view of Blumberg (U.S. Pat. No. 5,664,896). Claims 54, 56-57, 60 and 68 were rejected under 35 U.S.C. §102(b) as being anticipated by Blumberg. Claims 55, 59 and 65-67 were rejected under 35 U.S.C. §103(a) as being unpatentable over Blumberg.

In response to the informalities noted by the Examiner, claim 68 has been canceled and claims 54 and 69-78 have been amended.

In response to the rejection of claims 64 and 66 under 35 U.S.C. §112, first paragraph as set forth in paragraphs 7 and 8 of the Office Action, the Examiner is referred to Figs. 61a and 61d for a disclosure of a letter input element containing the letters R and Q in Fig. 61a and the letters R and U in Fig. 61d. These are just some of the examples from the figures to disclose a specific combination of letters.

In response to the non-statutory double patenting rejection in paragraphs 9 and 10, a Terminal Disclaimer was previously filed in the Amendment filed December 13, 2006.

In response to the rejection of claim 54 as being anticipated by Blumberg, claim 54 states that in a keyboard having at least 13 operator-selectable letter input elements, the majority of these letter input elements have only two letters assigned to a letter input element. A majority of an at least 13 letter input element keyboard would require seven of these letter input elements to have only two letters.

In reviewing the figures of the Blumberg '896 reference, the keyboards having two letters on an input element as in Fig. 2(b), have only five of the 26 keys include two letters, in Fig. 8, three of the eight keys include two letters, in Fig. 9, six of the 12 keys have two letters, in Fig. 10, five of the 15 keys include two letters, in Fig. 13, three of the nine keys include two letters, in Fig. 14, five of the 12 keys include two letters, in Fig. 15, three of the eight keys include two letters, in Fig. 16, five of the 15 keys include two letters, in Fig. 20, five of the 15 keys include two letters, and in Fig. 21, three of the eight keys include two letters. Accordingly, none of the figures in the Blumberg '896 patent include "a majority" (emphasis added) of the letter input elements as having only two letters.

During a telephone conversation with the Examiner shortly after receipt of the Office Action, it was discussed and agreed with the Examiner that by amending claim 54 to define the keyboard with a majority of the “at least 13 operator-selectable letter input elements” in the first paragraph of the claim after the preamble, that it would be clear that the claim refers to a majority of at least 13 keys. Accordingly, claim 54 has been amended as suggested by the Examiner and is distinguished over the Blumberg ‘896 reference.


In addition, claim 58 was indicated to be allowable and claims 61-64 and 69-78 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form. Claims 61-64 are dependent on claim 54 and therefore should be allowable. In addition, claims 69-78 have been placed in independent form and therefore should also be allowable. Claim 68 was cancelled.

Based on the foregoing amendments and remarks, it is respectfully submitted that the claims in the present application, as they now stand, patentably distinguish over the references cited and applied by the Examiner and are, therefore, in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, he is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

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